

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

USDC SDNY
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DOC #:
DATE FILED: <u>1/18/08</u>

07 Crim. 1020 (DFE)

ANEURY LUNA AMPARO,
a/k/a "Luis Rodriguez,"
[a/k/a Aneuris Luna Amparo],

MEMORANDUM AND ORDER

Defendant.

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DOUGLAS F. EATON, United States Magistrate Judge.

1. On November 21, 2007, Mr. Luna pleaded guilty before me and I directed him to appear for sentencing on February 29, 2008 at 10:00 a.m. in my regular courtroom, Courtroom 18A.

2. Pretrial Services Officer Santos sent a memorandum dated December 5, 2007 to me, with copies to AUSA Renzin and to Mr. Portela. On December 6, I issued a bench warrant for the arrest of Mr. Luna.

3. Probation Officer Tyler sent a memorandum dated January 7, 2008 to me with copies to AUSA Renzin and to Mr. Portela. On January 8, I advised Ms. Tyler not to proceed with a presentence report until further notice.

4. I am now responding to AUSA Renzin's letter to me dated January 15, 2008. I expect AUSA Renzin and Mr. Portela to advise me promptly if either of them learns of Mr. Luna's whereabouts. I am maintaining the sentencing date of February 29, 2008 at 10:00 a.m., and I expect AUSA Renzin and Mr. Portela to appear then. Even if Mr. Luna fails to appear, we will make a record of his loss of contact and any reasons for that loss of contact.


DOUGLAS F. EATON
United States Magistrate Judge
500 Pearl Street, Room 1360
New York, New York 10007
Telephone: (212) 805-6175
Fax: (212) 805-6181

Dated: New York, New York
January 18, 2008

Copies of this Memorandum and Order are being sent by mail to:

Lee Renzin, Esq.
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Colleen Tyler
Senior U.S. Probation Officer

Edward Santos
U.S. Pretrial Services Officer